



WWW.RIVKINRADLER.COM

BARRY I. LEVY  
PARTNER  
(516) 357-3149  
barry.levy@rivkin.com

March 3, 2011

**By ECF**

Honorable Roanne L. Mann  
United States Magistrate-Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Allstate Ins. Company v. Vivianne Etienne, et al.  
Docket No. CV 09-3582 (SLT)(RLM)

Dear Magistrate Judge Mann:

I write on behalf of counsel for all remaining parties to seek clarification of the discovery schedule in this matter.

On December 7, 2010, counsel for the parties presented a signed stipulation requesting an extension of fact discovery until April 15, 2011 as well as an adjournment of the settlement conference. On December 8, 2010, the Court issued an order granting the application motion and adjourning the settlement conference to May 2, 2011. (See Docket Entry No. 178) In reviewing the remaining scheduling dates, counsel for the parties realized that an agreement addressing expert discovery has never been reached and believe that there has never been an order entered relating to this issue. As a result, counsel would propose that the Court enter an order providing that in the event that the matter does not settle on May 2, 2011, that (i) expert reports be exchanged by June 31, 2011 and (ii) expert depositions be completed by July 29, 2011. The Court's attention to this request is appreciated.

Respectfully submitted,

RIVKIN RADLER LLP

  
Barry I. Levy

BIL/lg

cc: All counsel via ECF

*Application granted.  
(The parties' attention is  
directed to the  
Minute Entry of  
Sept. 21, 2009, D.E. #  
37, which deferred  
the scheduling of  
expert disclosure  
until after the  
settlement conference.)*

SO ORDERED:

/s/

Roanne L. Mann

U.S. Magistrate Judge

Dated: 3/4/11

926 RXR Plaza  
Uniondale, NY  
11556-0926  
Tel: 516.357.3000  
Fax: 516.357.3333

555 Madison Avenue  
New York, NY  
10022-3338  
Tel: 212.455.9555  
Fax: 212.687.9044

21 Main Street • Court Plaza South  
West Wing • Suite 158  
Hackensack, NJ 07601-7021  
Tel: 201.287.2460  
Fax: 201.489.0495